

Message Text

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ACTION IO-10

INFO OCT-01 ACDA-10 AF-10 AID-05 ARA-10 CIAE-00 COME-00

DODE-00 EB-06 EA-10 SP-02 PM-03 H-02 HEW-06 INR-07

L-02 LAB-03 NEA-10 NSAE-00 NSC-05 OIC-02 PA-02 RSC-01

SWF-01 AEC-07 AECE-00 SS-15 TRSE-00 USIE-00 PRS-01

ISO-00 SSO-00 INRE-00 NSCE-00 /131 W

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FM USMISSION USUN NY

TO SECSTATE WASHDC IMMEDIATE 7373

INFO USMISSION GENEVA PRIORITY

USMISSION NATO PRIORITY

AMCONSUL HONG KONG PRIORITY

AMEMBASSY JAKARTA PRIORITY

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AMEMBASSY BRASILIA

AMEMBASSY LONDON

AMEMBASSY NEW DELHI

AMEMBASSY NICOSIA

AMEMBASSY OSLO

AMEMBASSY OTTAWA

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

AMEMBASSY LISBON

AMEMBASSY TOKYO

AMEMBASSY SANTIAGO

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SUBJ: USUN UNCLASSIFIED SUMMARY NO. 061

GA PLENARY--SUSPENDS SOUTH AFRICA FROM WORK ON 29TH SESSION

GA NOV. 12, UPHOLDING RULING OF GA PRES BOUTEFILKA (ALGERIA) BY VOTE OF 91-22-19, DECIDED TO SUSPEND SOUTH AFRICA FROM PARTICIPATION IN WORK OF 29TH SESSION. SA'S STATUS AS UN MEMBER, MATTER WHICH HAS TO BE DECIDED ON BASIS OF SC RECOMMENDATION, WAS LEFT OPEN. AMB SCALI CHALLENGED PRES'S RULING, WHICH, HE SAID, CONFLICTED WITH LEGAL OPINION GIVEN GA IN 1970 AND WITH PRACTICES FOLLOWED BY GA SINCE THEN. AT OUTSET, TANZANIAN REP SALIM HAD REQUESTED GUIDANCE BY PRES ON EFFECT OF GA DECISION TO REJECT SA'S CREDENTIALS, AND WAS SUPPORTED BY REPS OF TUNISIA, GUYANA, SYRIA, YUGOSLAVIA, INDIA, PHILIPPINES, NIGERIA, USSR, CHINA AND IRAQ. IN GENERAL, THEY EXPRESSED REGRET THAT SC, WHICH HAD BEEN ASKED BY GA TO REVIEW RELATIONSHIP BETWEEN UN AND SA, HAD MADE NO RECOMMENDATION AS RESULT OF VETOES OF FRANCE, UK AND US. REPS OF US, FRANCE, UK AND GUATEMALA SPOKE AGAINST WHAT THEY CALLED EXPULSION OF SA. GA ALSO ADOPTED NUMBER OF RESES RECOMMENDED BY COMITES 1, SPECIAL POLITICAL, 5 AND 6 RELATING TO ATOMIC RADIATION, FINANCIAL MATTERS, ICJ, INTERNATIONAL TREATIES AND OUTER SPACE AND APPROVED GENERAL COMITE'S THIRD REPORT ON ORGANIZATION OF WORK.

IN HIS RULING, PRES BOUTEFILKA STATED THAT IT WOULD BE "BETRAYAL OF CLEARLY EXPRESSED WILL, AND OFTEN REPEATED WILL, OF GA" IN ITS DECISION OF SEPT. 30 TO REJECT SA'S CREDENTIALS WAS REGARDED AS "MERELY PROCEDURAL INCIDENT TO EXPRESS ITS REJECTION OF POLICY OF APARTHEID." CONSISTENCY WITH WHICH GA REFUSED TO ACCEPT SA DEL'S CREDENTIALS WAS "TANTAMOUNT TO SAYING IN EXPLICIT TERMS THAT GA REFUSES TO HAVE DEL OF SOUTH AFRICA PARTICIPATE IN ITS WORK." HE INTERPRETED 29TH GA DECISION IN THAT WAY, BUT HIS INTERPRETATION REFERRED "EXCLUSIVELY TO POSITION OF DEL OF SA WITHIN STRICT FRAMEWORK OF RULES OF PROCEDURE OF GA."

AT OUTSET, TANZANIAN REP SALIM DECLARED THAT TRIPLE VETO IN SC WAS "UNPRECEDENTED COLLECTIVE MISUSE OF RESPONSIBILITY VESTED UPON PERM MEMBERS" OF SC. CREDENTIALS COMITE DECISION UNCLASSIFIED

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TO REJECT SA'S CREDENTIALS HAD CERTAIN CONSEQUENCES; IN PURSUING THEM THERE WOULD BE NO INFRINGEMENT ON PROVISIONS OF CHARTER ART. 18, FOR MATTER WITH WHICH SC WAS SEIZED WAS NOT QUESTION OF CREDENTIALS BUT REMAINING OF APARTHEID REGIME IN UN. HE THEN ASKED GA PRES, IN NAME OF AFRICAN GROUP, FOR GUIDANCE ON EFFECT OF GA DECISION TO REJECT SA CREDENTIALS, SINCE IT WAS "SERIOUS ANACHRONISM" THAT SA DEL CONTINUED TAKING PART IN PROCEEDINGS THOUGH

ITS CREDENTIALS HAD BEEN REJECTED. STATEMENTS IN SUPPORT OF AFRICAN GROUP REQUEST WERE MADE BY DRISS (TUNISIA), KELANI (SYRIA), JACKSON (GUYANA), ZAHAWIE (IRAQ), AND PETRIC (YUGOSLAVIA).

UK REP RICHARD STATED CHARTER WAS LEGAL INSTRUMENT, BINDING ON ALL MEMBER STATES; SUSPENSION OF MEMBER STATE BY SIMPLE GA DECISION AND NOT IN ACCORDANCE WITH ART. 5 WAS ILLEGAL; AND ANY RULING BY PRES OR ANY DECISION BY GA WAS UNFOUNDED AND UNLAWFUL AND COULD ONLY LEAD TO UNCONSTITUTIONAL SITUATION.

JAIPAL (INDIA) SAID IF THERE WERE ANY DOUBT ABOUT GA'S REJECTION OF SA'S CREDENTIALS IT COULD BE PUT TO SEPARATE VOTE. HE REFERRED TO RULE 29 OF RULES OF PROCEDURE, SAID IN REJECTING SA'S CREDENTIALS GA WAS ACTING IN ACCORDANCE WITH RULES OF PROCEDURE AND NOT CONTRARY TO CHARTER, BECAUSE IT WOULD ONLY BE BINDING NOT TO ALLOW SA TO PARTICIPATE IN ACTIVITIES OF CURRENT GA. SUCH DECISION DID NOT NEED SC APPROVAL, HE DECLARED.

AMB SCALI REJECTED VIEW THAT US SC VOTE WAS "ANTI-AFRICAN" OR "ANTI-UN" AND OPPOSED EXPELLING SA. (TEXTS OF US STATEMENTS SENT SEPTTEL, NOTAL) DE GURINGAUD (FRANCE) CALLED FRANCE'S VETO HEAVY RESPONSIBILITY AND STATED UN SHOULD SEARCH FOR BETTER MEANS TO EXERT PRESSURE AND AVOID RADICAL MEASURES THAT MIGHT CREATE DANGEROUS PRECEDENT. INGLES (PHILIPPINES), SPEAKING ON BEHALF OF STATES OF SOUTHEAST ASIA, SAID UN REACHED "TURNING POINT" IN ITS RELATIONS WITH SA, WHICH WAS NOT INTERNATIONAL OUTCAST, AND HE ASKED FOR RULING FROM PRES ON LEGAL EFFECTS OF GA DECISION TO REJECT SA'S CREDENTIALS. MALIK (USSR) SUPPORTED TANZANIA'S PROPOSAL TO SUSPEND RIGHTS AND PRIVILEGES OF SA IN GA AND WOULD UNCLASSIFIED

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SUPPORT ANY RULING BY PRES IF ONE MADE. OGBU (NIGERIA) STATED SC COULD NOT PRETEND TO ACT IN ACCORDANCE WITH CHARTER IF IT HINDERED ANY ACTION THAT WAS DESIRED BY MAJORITY.

CHINESE REP HUANG HUA SAID RULING BY PRES TO PREVENT SA FROM PARTICIPATING IN PLENARY MEETINGS OF CURRENT SESSION WOULD BE ENTIRELY JUST. GA VOTE TO EXPEL CHIANG KAI-SHEK REGIME, BYPASSING SC; RULING BY GA PRES FORBIDDING SA FROM PARTICIPATING IN CURRENT SESSION WOULD BE IN KEEPING WITH SPIRIT AND PRINCIPLES OF CHARTER. KRAMER (GUATEMALA) DID NOT BELIEVE GA HAD FULL COMPETENCE TO EXCLUDE STATE FROM ITS DELIBERATIONS. MAINA (KENYA) THEN READ OUT RULE 29.

GA PRES BOUTEFLIKA OUTLINED DECISIONS TAKEN THUS FAR, STATED IT WAS CLEAR HAMBRO'S OPINION WAS BASED ON EXACT

WORDS OF DECISION ADOPTED IN FORM OF AMENDMENT AND
OPINION DID NOT EXCLUDE FACT THAT IF AMENDMENT HAD BEEN WORDED
OTHERWISE, IT MIGHT HAVE HAD ANOTHER EFFECT ON LEGAL STATUS
OF SA. ON BASIS OF CONSISTENCY WITH WHICH GA REGULARLY
REFUSED TO ACCEPT SA DEL'S CREDENTIALS, ONE MIGHT
LEGITIMATELY INFER THAT ASSEMBLY WOULD IN SAME WAY REJECT
CREDENTIALS OF ANY OTHER DEL HAVING SAME AUTHORITY OF SAG,
"WHICH IS TANTAMOUNT TO SAYING IN EXPLICIT TERMS THAT GA
REFUSES TO HAVE DEL OF SA PARTICIPATE IN ITS WORK.....
THUS IT IS, AS PRES OF 29TH SESSION OF GA, THAT I INTERPRET
DECISION OF GA," BOUTEFILKA CONCLUDED.

AMB SCALI, UNDER RULE 71, CHALLENGED RULING. FALL
(SENEGAL) CHALLENGED US REP'S INTERPRETATION THAT QUESTION
WAS IMPORTANT ONE REQUIRING TWO-THIRDS MAJORITY. MRS.
BROOKS-RANDOLPH (LIBERIA) SAID PRES SHOULD CALL FOR VOTE
ON HIS RULING, AND SHE WAS SUPPORTED BY TUNISIA AND TANZANIA.

THOSE VOTING AGAINST PRES'S RULING WERE: AUSTRALIA, AUSTRIA,
BELGIUM, CANADA, COSTA RICA, DENMARK, EL SALVADOR,
FINLAND, FRANCE, FRG, ICELAND, IRELAND, ISRAEL, ITALY,
LUXEMBOURG, NETHERLANDS, NEW ZEALAND, NICARAGUA, NORWAY,
SWEDEN, UK, US. ABSTENTIONS WERE: BOLIVIA, BRAZIL,
CHILE, COLOMBIA, DOMINICAN REPUBLIC, ECUADOR, FIJI, GREECE,
GUATEMALA, IRAN, JAPAN, LESOTHO, MALAWI, MEXICO, PARAGUAY,
PORTUGAL, SPAIN, TURKEY, VENEZUELA. FOLLOWING WERE
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ABSENT: BAHAMAS, HONDURAS, MALDIVES, SAUDI ARABIA, SOUTH
AFRICA, URUGUAY.

IN EXPLANATIONS OF VOTES, FINNISH REP SAID EXCLUSION OF
SA IN THIS WAY WAS NOT CONSISTENT WITH CHARTER, NEW ZEALAND
AND AUSTRALIA ALSO CONSIDERED DECISION UNCONSTITUTIONAL,
AND AUSTRIA'S VOTE WAS BASED ON LEGAL CONSIDERATIONS.
FRENCH REP, ON BEHALF EC-9, SAID EC-9 BELIEVED VOTE MIGHT
ENTAIL SERIOUS LEGAL CONSEQUENCES FOR APPLICATION OF
RULES THAT REGULATED ACTIVITIES OF GA AND THAT PROTECT
EVERYONE IN SAME WAY. CANADIAN REP REFERRED TO CHARTER ARTICLES
6 AND 5 AND SAID PRES'S RULING TOOK AWAY MEMBER'S FUNDAMENTAL
PRIVILEGES. FRG REP STATED THERE WERE NOT LEGAL GROUNDS
TO EXPEL SA AND MEMBER STATES SHOULD NOT IGNORE
MANDATORY CHARTER PROVISIONS. NEPAL VOTED FOR RULING
ON UNDERSTANDING IT APPLIED TO 29TH SESSION. NICARAGUAN
REP BELIEVED RULING VIOLATED CHARTER AND GA RULES OF PROCEDURE.
(REPEATED INFO PRETORIA, CAPETOWN, CAPETOWN FOR EMBASSY,
MASERU FOR ASST. SECY EASUM, LONDON)

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LAB-03 NEA-10 NSAE-00 NSC-05 OIC-02 PA-02 PM-03 PRS-01

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AMEMBASSY JAKARTA PRIORITY

AMEMBASSY PARIS PRIORITY

AMEMBASSY LAGOS PRIORITY

AMEMBASSY VIENNA PRIORITY

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AMEMBASSY OSLO

AMEMBASSY OTTAWA

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

AMEMBASSY LISBON

AMEMBASSY TOKYO

AMEMBASSY SANTIAGO

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SPECIAL POLITICAL COMITE REPORT--

WITHOUT VOTE GA APPROVED SPECIAL POLITICAL COMITE RECOMMENDATION

REGARDING ATOMIC RADIATION WHICH INTER ALIA NOTED

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"WITH CONCERN" THAT THERE HAD BEEN FURTHER RADIOACTIVE CONTAMINATION SINCE LAST REPORT AND REQUESTED UNSCEAR TO CONTINUE ITS WORK (RES 3226(XXIX)). PRES STATED THAT IT WAS UNDERSTOOD THAT SINCE TWO DRAFT RESES SUBMITTED WERE SIMILAR THERE WAS NO NEED TO VOTE ON FIRST (FRENCH) DRAFT. FRENCH REP EXPRESSED RESERVATIONS ON WORD "CONCERN" AND CONTESTED INCREASE IN RADIATION THAT WAS MENTIONED.

COMITE 5 RECOMMENDATIONS--

RES ABOLISHING PER CAPITA CEILING PRINCIPLE IN FORMULATION AND ESTABLISHMENT OF RATES OF ASSESSMENT FOR APPORTIONMENT OF EXPENSES OF UN COMMENCING WITH 1977-79 TRIENNIUM WAS ADOPTED 101-7(BAHRAIN, KUWAIT, LIBYA, OMAN, QATAR, UAR, VENEZUELA)-13(CHINA, COLOMBIA, DEMOCRATIC YEMEN, GAMBIA, GHANA, IRAN, IRAQ, MALAWI, MAURITANIA, MOROCCO, NIGERIA, TUNISIA, YEMEN). THOSE ABSENT WERE BAHAMAS, BANGLADESH, BURUNDI, GABON, GRENADA, GUINEA, GUINEA-BISSAU, HAITI, JAMAICA, LEBANON, LESOTHO, MALDIVES, SAUDI ARABIA, SOUTH AFRICA, SRI LANKA, SYRIA AND UGANDA. (RES 3228(XXIX)) IN EXPLANATIONS OF VOTES, REPS OF KUWAIT, LIBYA, AND UAE OBJECTED TO MAKING PER CAPITA INCOME SOLE CRITERION FOR ASSESSMENTS.

WITHOUT OBJECTION, GA ACCEPTED 1973 FINANCIAL REPORTS AND ACCOUNTS OF UN AND SIX PROGRAMS FINANCED BY VOLUNTARY FUNDS--UNDP, UNICEF, UNRWA, UNITAR, UNHCR AND UNEP (RESES 3227 A-G), AND NOTED ANNUAL REPORT OF JIU AND RELATED SYG REPORT (A/9838). THERE WAS NO OBJECTION TO FOLLOWING APPOINTMENTS TO: ACABQ--AKASHI (JAPAN), STUART (UK), TALIEH (IRAN), AND REAPPOINTMENT OF HOU TUNG (CHINA) AND NAUDY (FRANCE) (RES 3229(XXIX); UN ADMINISTRATIVE TRIBUNAL--RESPPOINTMENT OF PLIMPTON (US) AND STEVENS (UK) (RES 3231(XXIX)); BOARD OF AUDITORS--REAPPOINTMENT OF CONTROLLER-GENERAL OF COLOMBIA (RES 3230(XXIX).

COMITE 6 RECOMMENDATIONS--

RES ON REVIEW OF ICJ ROLE WAS APPROVED BY CONSENSUS (RES 3232 (XXIX)), BUT RESERVATIONS WERE EXPRESSED BY REPS OF EL SALVADOR, CHILE, FRANCE, GUATEMALA, INDONESIA, UNCLASSIFIED

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CAMEROON, CUBA, IRELAND, USSR, VENEZUELA, MONGOLIA, CONGO. USDEL STATED US WOULD HAVE PREFERRED STRONGER CALL TO STATES TO HAVE RECOURSE TO COURT.

RES INVITING ALL STATES TO BECOME PARTIES TO CONVENTION ON SPECIAL MISSION AND VIENNA CONVENTION ON LAW OF TREATIES WAS APPROVED WITHOUT VOTE (RES 3233(XXIX)). ONLY SPEAKER ON ITEM WAS CHILEAN REP WHO, AFTER ADOPTION BY CONSENSUS, STATED CHILE HAD NOTED THAT DURING LEGAL COMITE DEBATE ON ITEM, SOME DISAGREEMENT WAS EVIDENCED ON MEANING OF "ALL STATES." CHILE NOTED FOR RECORD ITS VIEW THAT "ALL STATES" INCLUDES ALL MEMBERS OF UN BODIES, BUT THAT THIS UNIVERSALITY SHOULD NOT BE EXTENDED TO ALLEGED GOVTS.

OUTER SPACE--

TWO COMITE 1 RESES ON OUTER SPACE WERE APPROVED UNANIMOUSLY: I, ENDORSING REPORT OF OUTER SPACE COMITE AND LAYING DOWN GUIDE-LINES ON FUTURE UN ACTIVITY ON OUTER SPACE QUESTIONS (RES 3234(XXIX)); AND II, COMMENDING DRAFT CONVENTION ON REGISTRATION OF OBJECTS LAUNCHED INTO OUTER SPACE AND REQUESTING SYG TO OPEN IT FOR SIGNATURE AND RATIFICATION AT EARLIEST POSSIBLE TIME (RES 3235(XXIX)).

COMITE 1 --DISARMAMENT

COMITE AT BRIEF MEETING NOV. 12 RECEIVED TWO DRAFT RESES REGARDING GENERAL AND COMPLETE DISARMAMENT: 25-POWER (US-USSR) DRAFT (L. 684) WOULD ENDORSE AGREEMENT TO INCREASE CCD COMPOSITION BY ADDING FRG, GDR, IRAN, PERU AND ZAIRE; AND NINE-POWER PROPOSAL (L. 688) WOULD URGE US AND USSR TO BROADEN SCOPE AND ACCELERATE PACE OF SALT, STRESS AGAIN NECESSITY AND URGENCY OF REACHING AGREEMENT ON IMPORTANT QUALITATIVE LIMITATIONS AND SUBSTANTIAL REDUCTIONS OF THEIR STRATEGIC NUCLEAR-WEAPON SYSTEMS AS POSITIVE STEP TOWARD NUCLEAR DISARMAMENT, AND INVITE TWO GOVTS TO KEEP GA INFORMED. CHAIRMAN SUGGESTED DRAFT RESES BE VOTED ON AS FOLLOWS: NOV. 13 OR 14-- LANFZ (L. 685, 686) AND ON ENDING NUCLEAR-WEAPON TESTING (L. 683); NOV 14-- ENMOD (L. 675). PHILIPPINES, HOWEVER, IDICATED THERE MIGHT BE AMENDMENTS TO ENMOD RES.

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SPECIAL POLITICAL COMITE--ISRAELI PRACTICES

SPC NOV. 12 ADOPTED THREE DRAFT RESES CONCERNING REPORT OF THREE-MEMBER SPECIAL COMITE TO INVESTIGATE ISRAELI PRACTICES AFFECTING HUMAN RIGHTS OF POPULATION IN OCCUPIED TERRITORIES, THUS CONCLUDING CONSIDERATION OF ITEM. RES (L. 305) REQUESTING SPECIAL COMITE, PENDING EARLY TERMINATION OF ISRAELI OCCUPATION, TO CONTINUE ITS WORK AND, AMONG OTHER THINGS, EXPRESSING "GRAVEST CONCERN" AT CONTINUED ISRAELI DISREGARD OF FOURTH GENEVA CONVENTION, WAS ADOPTED 82-

4(BOLIVIA, ISRAEL, NICARAGUA, US)-25(15 WEO'S, 7 LA'S, JAPAN, NEPAL, MALAWI). RES (L. 306) WHICH WOULD HAVE GA REAFFIRM GENEVA CONVENTION OF AUG. 12, 1949 CONCERNING PROTECTION OF CIVILIANS IN TIME OF WAR IS APPLICABLE TO TERRITORIES AND CALL AGAIN ON ISRAEL TO COMPLY WITH CONVENTION IN OCCUPIED TERRITORIES WAS APPROVED 102-0-5(BOLIVIA, COSTA RICA, ISRAEL, MALAWI, NICARAGUA). THIRD RES (L. 307), AS AMENDED ORALLY BY SPONSORS, WOULD HAVE GA ENDORSE (RATHER THAN CONFIRM) CONCLUSION OF COMITE OF THREE "THAT ISRAEL IS RESPONSIBLE FOR DESTRUCTION AND DEVASTATION OF TOWN OF QUNEITRA," CONDEMN ISRAEL FOR SUCH ACTS, AND REQUEST COMITE OF THREE WITH ASSISTANCE OF EXPERTS TO SURVEY DESTRUCTION IN QUNEITRA AND NATURE, EXTENT AND VALUE OF DAMAGE CAUSED BY DESTRUCTION, WAS ENDORSED 79-4(BOLIVIA, CANADA, ISRAEL, NICARAGUA)-28(US, 15 WEO'S, 8 LA'S, JAPAN, JAMAICA, MALAWI, NEPAL). BEFORE VOTING, COMITE HEARD 27 SPEAKERS ON TIEM, AS WELL AS POINTS OF ORDER AND RIGHTS OF REPLY, AND FOLLOWING VOTE EXPLANATIONS WERE GIVEN BY 11 DELS.

DORON (ISRAEL) STATED THAT DRAFT ON QUNEITRA WAS FURTHER EXAMPLE OF HOW ARAB COUNTRIES TRIED TO PERVERT FACTS AND SHIFT RESPONSIBILITIES WHICH RESTED WITH THEM ONTO SHOULDERS OF OTHERS. HIS DEL COMPLETELY REJECTED THIS TEXT, AND HOPED OTHERS WOULD NOT BE OVERPOWERED BY "OIL-POWERED ARAB STEMROLLER" WHICH WAS CURRENTLY ROLLING THROUGH HALLS OF UN.

FERGUSON EXPLAINED THAT US VOTED AGAINST DRAFT RES CONCERNING COMITE OF THREE BECAUSE IT COULD NOT ACCEPT ALLEGATIONS AS VERIFIED. AS FOR DRAFT RES ON QUNEITRA, FULL INVESTIGATION UNCLASSIFIED

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SHOULD BE MADE. US CONSIDERED REFERENCES TO CHARTER OF NUREMBERG TRIBUNAL AS IRRELEVANT AND UNJUSTIFIED, HE SAID.

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Decaption Note:
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Disposition Approved on Date:
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Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
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